

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

In the Matter of)

Helping Equalize Access Rights in)
Telecommunications Now Request)
for Amendment of)
Section 68.4 of the Commission's)
Rules Regarding Hearing Aid)
Compatible Telephones)

RM No. 8658

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Comments
of the
United States Telephone Association

The United States Telephone Association (USTA) hereby respectfully submits its comments in response to the Petition for Rulemaking submitted by Helping Equalize Access Rights in Telecommunications Now (HEAR-IT NOW) requesting that the Commission amend Section 68.4 (a) of its rules (47 C.F.R. § 68.4 (a)) to specify that broadband Personal Communications Services (PCS) devices capable of voice transmission or reception be hearing aid compatible. USTA is the principal trade association of the local exchange carrier industry, with more than 1100 members.

The Commission will soon submit for public comment the proposed rules recently agreed to by the Commission's Hearing Aid Compatibility Negotiated Rulemaking Committee. One of the conclusions reached by the Committee was that as of January 1, 2000, or January 1, 2005 (whichever date is applicable dependent upon the purchase date of the telephones in question), there shall be a rebuttable presumption that all telephones located in the workplace are hearing aid

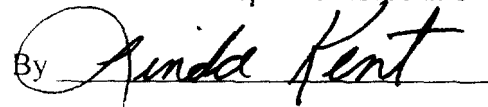
compatible. USTA is proud to have been a part of that Committee and fully supports its recommendations.

Consequently, USTA agrees that to ensure that persons who use hearing aids are afforded access that is functionally equivalent to persons who do not use hearing aids, the Commission must evaluate telephones and devices that will be used in cellular telephone systems and PCS systems to determine if they are hearing aid compatible or whether the Commission need amend its rules to mandate such compatibility.

The petition of HEAR-IT NOW references a study entitled “Interference with Hearing Aids Caused by GSM (Global System for Mobile Communications) Digital Cellular Telephones and DECT (Digital European Cordless Telecommunications) Digital Cordless Telephones.” The study concludes that interference to a person wearing a hearing aid can be caused by the nature of radio signals used in time division multiple access. However, it would be premature for the Commission to amend its rules based on a study that does not necessarily reflect the true nature of signals and/or frequencies, equipment, and technologies as they are deployed in the United States and which does not appear to address the issue of code division multiple access. Rather, the Commission should seek further information on the issue of hearing aid compatibility vis-a-vis domestic cellular and PCS telecommunications devices so that it can better evaluate whether amendment of its rules is necessary.

Therefore, USTA recommends that, before granting the petition of HEAR-IT NOW and initiating a rulemaking, the Commission should issue a Notice of Inquiry enabling it to solicit detailed information from the cellular telephone and PCS industries which address the issue of hearing aid compatibility as it relates to signals and/or frequencies, manufacturers, and technologies within the United States.

Respectfully submitted,
United States Telephone Association

By 

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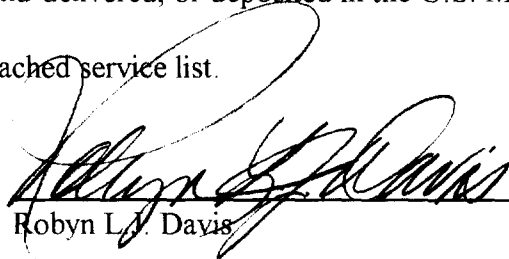
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CERTIFICATE OF SERVICE

I, Robyn L.J. Davis, do certify that on July 17, 1995 copies of the Comments of the United States Telephone Association were either hand-delivered, or deposited in the U.S. Mail, first-class, postage prepaid to the persons on the attached service list.


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